Our Docket No: 42390P12322

2152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Bottom et al.	)	Examiner: Not Yet Assigned
	)	
Application No: 09/966,830	)	Art Unit: 2152
	)	
Filed: September 28, 2001	)	
	)	
For: A Modular Server Architecture With	)	
High-Availability Management	)	
Capability	)	
	)	
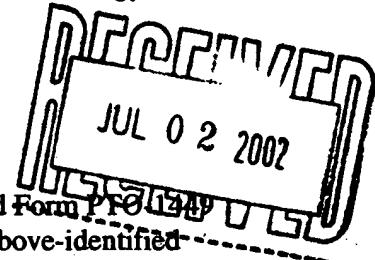
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO-1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO-1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

Docket No.: 42390P12322
Application No.: 09/966,830

The Information Disclosure Statement is being filed:

☒   (a) within three months of the filing date of the patent application, (b) within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application, or (c) before the mailing date of a first Office Action on the merits, or (d) before the mailing date of a First Office Action after the filing of a request for continued examination under § 1.114.

☐   **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes:

       ☐   the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below).

       ☐   the fee of $180 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).

☐   **after** the mailing date of a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), a Petition requesting consideration of the Information Disclosure Statement (see "Petition" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" below).

Copies Of The References

☒   Copies of certain references listed on the enclosed Form PTO-1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 C.F.R. § 1.98(a)(3).

☐   A copy of the foreign search report is enclosed herewith.

☐   All references listed on the enclosed Form PTO-1449 were previously identified in the parent application of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 C.F.R. § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2				
3.				

Other Applications

☒   The Examiner's attention is directed to the following U.S. patent application(s):

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
09/888,918	June 25, 2001		X	

Certification

☐   The **undersigned attorney** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

☐   The **undersigned attorney** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the attorney signing after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Petition

☐   The undersigned attorney hereby petitions the Commissioner to consider this Information Disclosure Statement and the references listed on the enclosed Form PTO-1449 in the examination of the above-identified patent application.

Fees

☒   **No fee** is owed by the applicant(s).
☐   The **IDS Fee of $180.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.
☐   The **Petition Fee of $130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

Method Of Payment Of Fees

☐   Attached is a check in the amount of $ 180.00
☐   Charge Deposit Account No. 02-2666 in the amount of $. (A duplicate copy of this communication is enclosed for that purpose.)

Authorization To Charge Additional Fees

☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 02-2666. (A duplicate copy of this communication is enclosed for that purpose.)

Instructions As To Overpayment

☒ Credit Account No. 02-2666.
☐ Refund

Respectfully submitted,

BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 6/13/02
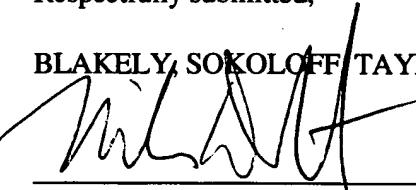
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US Department of Commerce		Atty. Docket No.: 42390P12322		Application No.: 09/966,830

Patent and Trademark Office

Applicant: Bottom et al.

Filing Date: September 28, 2001

Form PTO-1449 (Modified)

JUN 1 9 2002
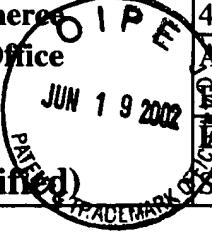
COPY OF PAPERS ORIGINALLY FILED

US Patent Documents

Examiner's Initials		Date	Document Number	Name	Class	Sub-Class	Filing Date
				.			

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JUN 2 5 2002

Foreign Patent Documents

Technology Center 2100

Examiner's Initials		Date	Document Number	Country	Class	Sub-Class	Translation
							.

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

		WEB HOSTING; The Magazine for Web Hosting Executives. Volume 1 > Number 4. The Next Big Thing: Ketris Launch. Six Wishes: Fulfilled. By Dmitri Eroshenko. ZIATECH CORPORATION. San Luis Obispo, California. Pages 1-4.
		KETRIS: Provisioning the Internet Infrastructure. ZIATECH CORPORATION. White Paper. By Dave Bottom, June 2000. Pages 1-15.
		KETRIS: Overview. ZIATECH CORPORATION; an Intel Company. Pages 1-22.

Examiner	*Date Considered*

Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw a line through the citation if not in conformance and not considered. Include a copy of this form with the next communication to the applicant